

Applicants: Jens Horstmann et al
Serial No.: 09/864,479
Filing Date: May 23, 2001
Docket No.: OG-003

REMARKS

Reconsideration and allowance is respectfully requested. The listing of claims replaces all prior versions and listings of claims in the application. Claims 21-23 are amended to put the claims into standard format for claims to software. Claims 26-29 are added (see explanation below). Claims 1-29 are pending.

Background¹

Before Applicants' invention there existed conferencing systems such as the one set forth in Prasad. Prasad describes a system wherein a conference is set up involving a central computer. The central computer has a radio frequency (RF) communication capability. A person who wishes to attend the conference carries a laptop computer into the conference. The laptop also has a RF communication capability. When the laptop establishes RF communication with the central computer, the attendee is automatically enrolled into the conference. Thereafter the attendee can use the laptop to share information with other attendees of the conference.

The inventors of the present application, however, recognized a problem existing in the prior art. Individuals would go to a conference, and enroll at the conference using their email addresses. The present specification explains a situation wherein an individual goes to a conference and gives out his primary business email address. The individual's primary business email address is thereafter spammed with unwanted advertisements and solicitations. This unwanted spam may be so voluminous that it interferes with the individual's future use of his/her primary business email account. This can be a major problem that discourages use of electronic conferencing systems that use email addresses to allow communication between attendees. This spam problem is nowhere recognized in any of the Examiner's six cited references.

¹ This "background" section is repeated from Applicants' prior amendment. It is submitted here to assist in refreshing the reader's recollection of the subject matter of the application.

Applicants: Jens Horstmann et al
Serial No.: 09/864,479
Filing Date: May 23, 2001
Docket No.: OG-003

Applicants' patent application discloses a novel conferencing system, wherein each attendee has a "personal proxy" as well as a "real identity," and where the personal proxy is maintained on the conference organizer's computer system. JENS@COMDEX.COM is the example given of a "personal proxy." It involves a mailbox and storage space that allows the attendee (Jens in this case) to receive information and communicate with others at the conference (Comdex in this case). JENS@OPENGRID.COM is the example given of a "real identity" (Jens primary business email address at the company OpenGrid Inc.) Paragraph 15 of Applicants' specification explains that the attendee (Jens in this case) does not want others at the Comdex conference to be able to send unwanted advertisements and solicitations to JENS@OPENGRID.COM. By providing Jens with the personal proxy, Jens is able to receive information and communicate with others at the Comdex conference without divulging his primary JENS@OPENGRID.COM email address. If the attendee gets spammed by solicitors at the conference and afterwards, then it is the personal proxy mailbox that will be spammed, not the attendee's primary business email mailbox. The attendee can move interesting information from the personal proxy into the attendee's real identity, if the attendee so chooses. In one embodiment², the personal proxy mailboxes maintained on the conference organizer's system are only accessible for a time period that is roughly coextensive with the duration of the conference. After the conference is over, the organizer's conference system deletes the personal proxies, thereby freeing up the storage space on the organizer's computer system for other uses.³

² The embodiment of EXAMPLE 2, paragraphs 29-35.

³ The above paragraphs are provided as an overview of the specification. Because these statements are a simplification, they are inaccurate and incomplete at some level of detail and they are not to be considered to be a gloss on the specification. For an accurate meaning of claim terms, refer directly to the specification and claims.

Applicants: Jens Horstmann et al
Serial No.: 09/864,479
Filing Date: May 23, 2001
Docket No.: OG-003

The Present §103 Rejections

In the prior office action (Office Action of October 18, 2005), the Examiner rejected Applicants' claims under §103 over a combination of Prasad (USP 6,237,026) and Pivowar (USP 6,308,201). After acknowledging that "Prasad did not explicitly state that his system utilized personal proxies...", the Examiner cited Pivowar for disclosure of a personal proxy. Pivowar, however, does not disclose a personal proxy. When Applicants pointed this out in Applicants' subsequent Amendment, the Examiner withdrew the Prasad/Pivowar §103 rejection. The Examiner now makes a Pivowar/Skarbo §103 rejection⁴. The rejections of all claims depend on Skarbo somehow disclosing or suggesting a "personal proxy".⁵ Effectively, the Examiner is just substituting Skarbo for the deficient Pivowar reference previously cited.

In particular, the present Office Action states in pertinent part:

"Concerning claim 1, Prasad did not explicitly state that each attendee has a personal proxy and a real identity as recited in step (c). Concerning the personal proxy, Skarbo states a document server that provides storage space for each attendee of the conference while the conference is in session. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Prasad by adding **the ability to maintain a personal proxy as provided by Skarbo**. Here the combination satisfied the need for a reliable way to get conferencing data to conference participants. See Skarbo, column 1, lines 46-48. Concerning the real identity, network users often have multiple different email accounts and it would have been obvious to maintain an email account separate from a conference server storage space. In addition, Prasad mentions the use of multiple network addresses (or an alternate network address) by one user at column 5, lines 43-46. It would have been obvious to one of ordinary skill at the time of applicant's invention to modify the system of Prasad by adding the ability to maintain a real identity, separate from a personal proxy." (emphasis added)(Office Action, page 3, lines 13).

Applicants respectfully traverse the §103 rejection. Applicants and the

⁴ Claims 1-11, 13-17, 19 and 21-24 are rejected over a §103 combination of Prasad and Skarbo. Claim 12 is rejected in further view of Adamson. Claims 18 and 25 are rejected in further view of Zoken. Claim 20 is rejected in further view of Bouve.

Applicants: Jens Horstmann et al
Serial No.: 09/864,479
Filing Date: May 23, 2001
Docket No.: OG-003

undersigned have carefully read Skarbo over multiple times. There simply is no disclosure or suggestion anywhere in Skarbo of a personal proxy, nor of a need for a personal proxy. Applicants respectfully reject the Examiner's conclusion that just because "network users often have multiple different email accounts" that it would have been "obvious" to maintain a personal proxy email account on the conference server for every conference attendee and then also to maintain a real identity email account somewhere else.

The Examiner's reasoning as set forth in statement of the rejection (see above) appears to start off arguing that it would have been obvious to modify the system of Prasad by adding "the ability to maintain a personal proxy as provided by Skarbo". The apparent motivation to modify that is cited by the Examiner is "Skarbo, column 1, lines 46-48". The Examiner then, after making an argument that it would also have been obvious to add an ability to maintain a "real identity", appears to assume that the Prasad system actually included a "personal proxy". The Examiner states "It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Prasad by adding the ability to maintain a real identity, separate from a personal proxy" (Office Action, page 3, lines 11-13).

In response, Applicants respectfully want to make it clear that Prasad nowhere discloses a personal proxy. It is improper for the Examiner to argue first that adding the personal proxy to Prasad would have been obvious, and then later to cite Prasad as if Prasad actually disclosed a personal proxy. There is simply no personal proxy disclosed in Prasad. This should be clear. The Examiner's prior arguments for why Prasad suggested a personal proxy have been dealt with at length in the REMARKS section of Applicants' prior Amendment.

Moreover, there is no personal proxy disclosed in Skarbo. Just as Pivowar was deficient in this respect (see the prior §103 rejections that are now withdrawn), so too is the presently cited Skarbo reference deficient. Because all

⁵ Or "personal proxy mailbox".

Applicants: Jens Horstmann et al
Serial No.: 09/864,479
Filing Date: May 23, 2001
Docket No.: OG-003

the Examiner's rejections depend on Skarbo or a hypothetical Prasad/Skarbo combination involving a personal proxy, Applicants discuss the Skarbo reference in detail below and point out why the passages of Skarbo cited by the Examiner in the office action fail to disclose a personal proxy.

First, the Examiner points to col. 1, lines 46-48 of Skarbo, evidently for a motivation to modify Prasad. The Examiner mentions "a need for a reliable way to get conferencing data to conference participants" (Office Action, page 3, lines 6-7). Applicants respectfully respond that reliably getting conference data to a conference participant has little to do with a need for a personal proxy. Conference data may, for example, be reliably communicated to a famous conference attendee but at the same time the business email address of the famous conference attendee could be learned by others. Thereafter, the famous conference attendee's business email address could be spammed by the other conference attendees. Accordingly, a quest for reliability and a quest to avoid unwanted solicitations⁶ are not the same thing. The section of Skarbo pointed to by the Examiner at col. 1, lines 46-48 would not have motivated one of ordinary skill to provide a personal proxy.

Second, the Examiner points to Skarbo "figure 9, item 452 and figure 3", evidently for the proposition that "each attendee registered has a personal proxy and a real identity" (Office Action, page 5, lines 12-14). Applicants respectfully respond that Skarbo's disclosure of "document server" 152 (Figure 9 and Figure 3, and the associated description in Skarbo) neither discloses nor suggests that "each attendee registered has a personal proxy and a real identity". Skarbo discloses a video conferencing system where documents can be shared between conference attendees. Figure 4 shows a login page 180 where a conference attendee can enter a username and password and gain access to the system. A new user can create an account as indicated by user account setup 186. Once logged in, an attendee can use the presentation page 198 to select documents

⁶ There are also other desirable aspects of a personal proxy. Not being spammed is just one example. See Applicants' specification for additional details.

Applicants: Jens Horstmann et al
Serial No.: 09/864,479
Filing Date: May 23, 2001
Docket No.: OG-003

that the attendee wishes to share with other attendees during a subsequent conference. The documents are, however, as best Applicants can tell, stored on the conference attendee's own computer. The conference attendee therefore somehow "uploads" the document to the "document server". Conference attendees can then access the documents on the document server. There is no mention in Skarbo of a conference attendee's email address being published or made available to other conference attendees. There is no mention of each conference attendee having a separate personal proxy storage area on the document server where the conference attendee can store his own information. If the Examiner sees such a disclosure in Skarbo, then the Examiner is respectfully requested to identify it in the next office action. Quite to the contrary, the information uploaded to Skarbo's document server appears to be in one big lump that is made accessible to conference attendees. There is no disclosure of separate personal proxies. The Skarbo patent is devoid of any notion of a personal proxy being provided for each conference attendee. In fact, as Applicants read Skarbo, Skarbo is devoid of any notion of each attendee having a separate storage area⁷ of any kind on document server 152.

The Examiner points to Skarbo's "mail server" 464 (see Figure 9 of Skarbo), evidently for disclosure of one of Skarbo's conference attendees having both a "first mailbox" and a "second mailbox" (Office Action, page 8, lines 1-5). After citing the specific language of dependent Claim 8 involving a first mailbox and a second mailbox, the Examiner gives citations for where the Examiner believes the first and second mailboxes are disclosed in Skarbo. The Examiner's citations are "(Skarbo, figure 9, item 464 where Skarbo's system has email capabilities and can use an email server in conjunction with the document server; see paragraph 9 for real identity)".

⁷ A personal proxy, in one example, includes both a mailbox and storage area (see Applicants' specification, page 7, lines 1-6: "The personal proxy 119 for attendee #1 in the example of Figure 1 is a mailbox and storage space identified as "JENS@COMDEX.COM". This "JENS@OPENGRID.COM" mailbox and storage area is a "proxy" in the sense that it, at least to some degree, allows attendee #1 to receive information and communicate with others at the

Applicants: Jens Horstmann et al
Serial No.: 09/864,479
Filing Date: May 23, 2001
Docket No.: OG-003

Applicants respectfully respond that Skarbo's disclosure of mail server 464 of Figure 9 does NOT include a disclosure of each conference attendee having a mailbox on mail server 464. As Applicants read Skarbo, mail server 464 is provided as a mechanism to distribute information such as: documents to be shared, a conference summary, a list of conference attendees, and conference attendee "contact information". See col. 11, line 42 through col. 12, line 23, and in particular col. 12, lines 10-18. This information is evidently distributed to the conference attendees' *real identities*. There is no indication in Skarbo that the "contact information" mentioned by Skarbo is an email address of a mailbox maintained on mail server 464. There is no indication in Skarbo that each conference attendee has an email account on mail server 464. For the Skarbo mail server 464 to distribute information as described, there is no reason why it has to or should maintain a mailbox for each conference attendee. **If the Examiner sees a disclosure in Skarbo of each conference attendee having an email mail box maintained on mail server 464, then the Examiner is respectfully requested to point out where that disclosure is in the next office action.** Otherwise, Applicants submit that Skarbo must fail⁸ to disclose or suggest a personal proxy. Because neither Prasad nor Skarbo involves a personal proxy, a combination of Prasad and Skarbo would therefore also not include a personal proxy. Reconsideration and withdrawal of the §103 rejections of Claims 1-25⁹ is requested.

New Claims 26 and 27:

As set forth in Applicants' specification, a "personal proxy" in one embodiment includes a mailbox and a storage area (see, for example, Applicants' specification, paragraph [0015]). Skarbo nowhere discloses a

conference without divulging the real identity 120 of attendee #1 ("JENS@OPENGRID.COM") to others at the conference" (emphasis added).

⁸ Even if Skarbo were to have disclosed that each attendee is provided a mailbox on server 464, that does not necessarily mean that the mailbox provided was a "personal proxy". A personal proxy cannot divulge the real identity of the attendee, and not all mailboxes have this characteristic or can perform the functions of a personal proxy.

Applicants: Jens Horstmann et al
Serial No.: 09/864,479
Filing Date: May 23, 2001
Docket No.: OG-003

personal proxy having such a storage area (regardless of the issue of whether Skarbo's mail server maintains mailboxes for conference attendees or not). Applicants' new Claim 26, on the other hand, clearly and specifically recites that "each conference attendee is provided a personal proxy by the conference organizer's computer system, each personal proxy including a personal proxy mailbox and also including a storage area" (emphasis added). New claim 27 clearly and specifically recites that "each personal proxy of the plurality of personal proxies includes a mailbox and a storage area" (emphasis added). Consideration and allowance of new Claims 26 and 27 is requested.

New Claims 28 and 29:

As explained above, no combination of Prasad and Skarbo either discloses or suggests a mailbox being maintained on a computer organizer's computer system for use during a conference by a conference attendee. Claim 28, on the other hand, specially recites "maintaining on a conference organizer's computer system a mailbox for each of a plurality of conference attendees." To clarify that this mailbox in Claim 29 is for use during the conference and is not just a general email mailbox, dependent Claim 29 further recites that "after the conference, the organizer's computer system sending the conference attendee an alert of an upcoming deletion of information in the conference attendee's mailbox". See Applicants' specification, paragraphs [0026-0028] for support. Consideration and allowance of new Claims 28 and 29 is requested.

Interview Requested:

If this Amendment does not result in allowance of all claims, Applicants respectfully request a telephonic interview with the Examiner. The Examiner is respectfully requested to contact the undersigned at (925) 621-2115 to schedule an interview time and date.

⁹ All the §103 rejections depend on the Prasad/Skarbo combination involving a personal proxy.

Applicants: Jens Horstmann et al
Serial No.: 09/864,479
Filing Date: May 23, 2001
Docket No.: OG-003

Conclusion

In view of the above amendments and remarks, Claims 1-29 are in condition for allowance. None of the cited references (Prasad, Skarbo, Adamson, Zoken, Bouve), taken either alone or in combination, either discloses or suggests a personal proxy of a conference attendee, where the personal proxy is maintained by the conference organizer's computer system as claimed. A Notice of Allowance is requested. If the Examiner would like to discuss any aspect of this application, the Examiner is requested to contact the undersigned at (925) 621-2115.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail on the date indicated below and is addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

By T. Lester Wallace
T. Lester Wallace

Date of Deposit: January 1, 2006

Respectfully submitted,

T. Lester Wallace

T. Lester Wallace
Attorney for Applicants
Reg. No. 34,748
Customer Number 24,941

Silicon Edge Law Group LLP
6601 Koll Center Parkway
Suite 245
Pleasanton, CA 94566
(925) 621-2115